

Applicant: Harris, Michael  
U.S. Serial No: 10/553,359  
U.S. Filing Date: February 4, 2008  
Reply to Restriction Requirement  
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### **REMARKS**

The Examiner required restriction among the claims under 35 U.S.C. § 121 asserting that the pending claims reflect two groups of inventions that are not so linked as to form a single general inventive concept. The Examiner asserted that the claims fell into the following groups:

Group I.       Claims 1-10, drawn to a method of coating, and

Group II.      Claim 11, drawn to a coating apparatus.

The Examiner's alleged basis for the restriction is that the present application lacks unity because there are different inventive concepts.

In response, Applicants provisionally elect, with traverse, the subject matter in Group I claims 1-10, drawn to a method of coating. Applicants specifically reserve the right to pursue the claims not elected in one or more divisional applications.

Applicants respectfully disagree with the Examiner's restriction, and submit that the Examiner has not met the burden of establishing two or more independent and distinct inventions claimed in one application under 35 U.S.C. § 121. For example, claim 11 (Group II) has been amended via preliminary amendment filed October 13, 2005 to include that the coating apparatus uses the coating method of claim 1 (in Group I). Thus, the distinctions the Examiner makes between Groups I and II are unclear and the Examiner has not established that the inventions in Groups I and II are independent and distinct and are to different inventive concepts.

Moreover, searching each claim group would not pose a serious burden on the U.S. Patent Office, as the Examiner would almost certainly cite the same reference in one group against the other group (*e.g.*, methods of coating open pore bodies against apparatus that uses the coating method). Applicants submit that separate searches for each of the alleged groups would be substantially duplicative, and the Examiner has not demonstrated that a search directed to one group is unreasonable or would present an

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undue burden on the U.S. Patent Office. Accordingly, Applicants respectfully request that the restriction requirement be reconsidered and withdrawn.

**Conclusion**

No additional fee is believed to be due with respect to filing this response. If any additional fees are due, or an overpayment has been made, please charge, or credit, our Deposit Account No. 11-0171 for such sum.

If the Examiner has any questions regarding the present application, the Examiner is cordially invited to contact Applicants' attorney at the telephone number provided below.

Respectfully submitted,

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